

DOCKET NO.: MSFT-3472 / 304032.02
Application No.: 10/768,777
Office Action Dated: July 16, 2007

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

Claims 1-41 are pending in the present application, with claim 1, 35-37, 40 and 41 being the independent claims. Claims 1, 2, 35, 37, and 38 have been amended. No new matter has been added.

In the Final Rejection dated July 16, 2007, claims 2 and 38 are objected to because of informalities. Claims 1-3, 35 and 37-39 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2001/0011995 issued to Hinckley et al. (hereinafter referred to as “Hinckley”) in view of U.S. Patent No. 5598522 issued to Inatomi (hereinafter referred to as “Inatomi”). Claims 4-20, 22-24 and 26-34 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hinckley in view of Inatomi in further view of the 1999 publication “Microsoft Windows 98 Keyboard Guide” by Snyder. Claims 36, 40 and 41 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hinckley in view of Inatomi in further view of the 1993 publication “LogitechMouse User’s Guide”. Claims 21 and 25 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hinckley in view of Inatomi in further view of the 2001 publication “Quicktime 5 for Macintosh and Windows: Visual Quickstart Guide” by Stern et al.

The outstanding rejections to the claims are respectfully traversed.

Claim Objections

In the Final Rejection, claims 2 and 38 are objected to because of informalities. Applicants propose amendments as recited in amended claims 2 and 38 attached to the present response to correct the alleged informalities. Reconsideration and withdrawal of the claim objections is respectfully requested.

Rejections under 35 U.S.C. §103

In the Office Action, claims 1-3, 35 and 37-39 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Hinckley in view of Inatomi. Applicants respectfully traverse this rejection.

Independent claim 1 has been amended to further clarify the claimed subject matter.

Claim 1, as amended, is directed to:

A method for combining the functionality of a set of at least two command calls into a single logical button, said method comprising:

 prioritizing the set of command calls from highest priority to lowest priority;

 issuing a first command call to an application after the logical button is activated;

recognizing when the first command call issued to the application is rejected by the application; and

if the first command call is rejected by the application, then automatically issuing at least one lower priority command call to the application.

In order for a reference to anticipate or render the claim obvious, it must teach and/or suggest all of the recited elements as well as the arrangements of those elements. The cited references do not.

Inatomi is directed to a command processing system operating with a graphical user interface in a computer system wherein user-selectable objects may have multiple commands associated with them. The user manually selects the objects and the commands associated with the objects through the graphical user interface using a mouse. The Office Action relies on column 5, lines 16-51 of Inatomi to support the assertion that Inatomi teaches recognizing when a command is rejected by an application and sending at least one lower priority command call. Applicants respectfully disagree. In Inatomi, commands are “recognized” as rejected only because they are not selected by the user. Inatomi’s user must manually select a different command if the user does not wish to use the command with the highest priority or the command currently selected for the associated object. The following excerpt of Inatomi provides further explanation:

When the object X is selected, a command having the highest priority, among commands applicable to the object X, is displayed in the command area 32, as shown in FIG. 4B. In this example, the command having the highest priority is the “OPEN” command. If a user wishes to open the file (the object X), the mouse button is clicked by the user in this state, so that the process represented by the “OPEN” command is

immediately executed without moving the cursor 31.

On the other hand, if the user wishes to select another command, for example, the "DELETE" command, the cursor 31 is moved to the menu bar in the same manner as in the conventional case and the file menu is opened. After this, **the "DELETE" command is selected in the pull-down menu by the manipulation of the mouse**. As a result, the process represented by the "DELETE" command is executed, so that the file (the object X) is deleted from this system. (*Inatomi, column 5, lines 17-33*)

As should be appreciated from this excerpt, Inatomi's user must manually make a selection of a different command if the user does not wish to use the command currently associated with and displayed in the command area of an object. The user may select the command from a pull-down menu, as described in the above excerpt, or the user may issue an instruction for changing the command, as described in column 5, lines 36-51 of Inatomi.

In contradistinction to the method claimed in claim 1 as amended, Inatomi does not disclose recognizing when the first command call issued to the application is rejected by the application, and if the first command call is rejected by the application, then automatically issuing at least one lower priority command call to the application. Inatomi requires manual intervention to issue a different command than the highest priority or currently selected command associated with an object. Inatomi does not provide for recognizing when a command is rejected by an application and automatically issuing a different command. Inatomi only "recognizes" that a command is rejected when the user rejects a command by selecting a different command to be associated with an object. After such a rejection, Inatomi does not automatically issue a lower priority command. Inatomi requires the additional step of the user selecting which command is to be used.

Moreover, merely presenting commands to the user in a list in a particular order, as taught in Inatomi, is not the same as automatically issuing at least one lower priority command when a prior command is rejected by an application. Inatomi's prioritization is only used to determine which command is displayed in the command area of an object. (Inatomi, column 5, lines, 54-59.) Inatomi does not disclose prioritizing the set of command calls from highest priority to lowest priority, recognizing when the first command call issued to the application is rejected by the application, and if the first command call is rejected by

the application, then automatically issuing at least one lower priority command call to the application

As admitted in the Final Rejection on page 3, Hinckley does not teach prioritizing commands and recognizing when a command is rejected. Therefore, Hinckley does not cure the deficiencies of Inatomi as set forth above. The remaining references also do not teach the recited claim language. Because the cited references fail to teach or even suggest all of the claimed elements, they cannot possibly anticipate or render obvious the combination of claim 1.

The Final Rejection rejects claims 35-37, 40 and 41 over Hinckley in view of Inatomi on substantially the same basis as the rejection of claim 1. Applicants respectfully traverse these rejections and assert that the arguments set forth herein with respect to the rejection of claim 1 also apply to the rejection of claims 35-37, 40 and 41. Accordingly, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of claims 35-37, 40 and 41.

Applicants acknowledge that the Office Action establishes additional grounds for rejection of the claims that are dependent upon claims 1, 35-37, 40 and 41. However, in view of the traversals set forth with respect to the independent claims, Applicants believe that all such dependent claims are in condition for allowance, rendering the rejections of those claims moot. Applicants believe that this response completely and accurately addresses all grounds of rejection. Applicants reserve the right to challenge the rejection of any of those dependent claims in any future response that may be forthcoming.

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CONCLUSION

In view of the foregoing, Applicants respectfully submits that this application, including claims 1-41, is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

Date: September 14, 2007

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